

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

CIVIL CASE NO. 3:23CV272-HTW-LGI

NAACP, MISSISSIPPI NAACP,
JACKSON NAACP, DERRICK JOHNSON,
FRANK FIGGERS, CHARLES TAYLOR
MARKYEL PITTMAN, CHARLES JONES

PLAINTIFFS

AND

UNITED STATES OF AMERICA

PLAINTIFF INTERVENOR

VERSUS

SEAN TINDELL, COMMISSIONER OF
PUBLIC SAFETY; BO LUCKEY, CHIEF
OF THE OFFICE OF CAPITOL POLICE;
CHIEF JUSTICE MICHAEL K. RANDOLPH;
LYNN FITCH, ATTORNEY GENERAL

DEFENDANTS

CONSOLIDATED WITH

JXN UNDIVIDED COALITION,
MISSISSIPPI VOTES, PEOPLES
ADVOCACY INSTITUTE, MISSISSIPPI
POOR PEOPLES CAMPAIGN, BLACK VOTERS,
MATTER, RUKIA LUMUMBA, AREKIA
BENNETT-SCOTT, DANYELLE HOLMES

PLAINTIFFS

VERSUS

SEAN TINDELL, COMMISSIONER OF
PUBLIC SAFETY; BO LUCKEY, CHIEF
OF THE OFFICE OF CAPITOL POLICE

DEFENDANTS

TRANSCRIPT OF STATUS CONFERENCE

BEFORE THE HONORABLE HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE

SEPTEMBER 13, 2023
JACKSON, MISSISSIPPI

1 APPEARANCES:

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1 anywhere in the State of Mississippi, whereas a municipal judge
2 shall be a qualified elector of the county in which the
3 municipality is located.

4 Four, the CCID court shall be repealed in 2027, while
5 municipal courts traditionally have no established ending date.

6 This Court, thus, is not persuaded by the plaintiffs'
7 argument that because the Chief Justice does not traditionally
8 appoint municipal judges in Mississippi, his appointment of a
9 judge in a municipal-like court is a nonjudicial act.

10 As I said before, this judgeship, CCID, this judgeship is
11 not a traditional municipal court. It is a municipal-hybrid
12 court which the legislature has full authority to create. So
13 this court is the first of its kind, not a court in a long line
14 of such courts, but it appears to this Court that it is a
15 hybrid court. And being a hybrid court, it needs to be
16 accorded the status of such.

17 The Court finally addresses plaintiffs' argument that
18 despite this Court's grant of judicial immunity, the Chief
19 Justice is subject to claims for declaratory relief under
20 Section 1 and under Section 4. The Fifth Circuit has held that
21 a judge is not a proper party to a lawsuit challenging a state
22 law's constitutionality because "no case or controversy exists
23 between a judge to adjudicate claims under a statute and a
24 litigant who attacks the constitutionality of the statute,
25 unquote.

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3 CERTIFICATE OF COURT REPORTER
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5 I, Teri B. Norton, RMR, FCRR, RDR, Official Court
6 Reporter for the United States District Court for the Southern
7 District of Mississippi, appointed pursuant to the provisions
8 of Title 28, United States Code, Section 753, do hereby certify
9 that the foregoing is a correct transcript of the proceedings
10 reported by me using the stenotype reporting method in
11 conjunction with computer-aided transcription, and that same is
12 a true and correct transcript to the best of my ability and
13 understanding.

14 I further certify that the transcript fees and format
15 comply with those prescribed by the Court and the Judicial
16 Conference of the United States.
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19

20 S/ *Teri B. Norton*
21 TERI B. NORTON, RMR, FCRR, RDR
OFFICIAL COURT REPORTER
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